

# TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

September 16, 2002

PRESENT: Dave Wakeman, Chairman  
Mark Decker  
Tom Cowan  
Terry Janicz  
Andy Kelkenberg  
Don Hoeffler  
Donnal D. Folger, Code Enforcement Officer  
Christine Falkowski, Planning Board Clerk

The meeting was called to order by Dave Wakeman at 7:35pm.

The Board reviewed the August 19<sup>th</sup> minutes; Andy motioned to accept, Mark seconded and all approved.

## 7:45 PM – Nye subdivision

There was no one representing Nye in attendance. The Board reviewed Robert Nye's request for subdivision approval for one irregular lot (150' x 300') on North Millgrove Rd. The building lot will be deeded to his son, Ronald, who plans to build a one-family home. A creek or ditch runs at the rear on the property. Do they have an easement for the ROW? Is access needed to clean the smaller piece? The lot meets size and area requirements. Tom motioned to approve the subdivision with the stipulation that an easement will be obtained from Tennessee Gas Pipeline Co. (must talk to owner first), seconded by Andy and all approved.

## 8:00 PM – Muck subdivision

The Board met with Paul Muck regarding Lyman Muck's (father) request for subdivision approval for one lot (175' x 360') on Utley Rd. The land will be sold to Paul, who will build a primary residence. There is no formal agreement to clean the ditch. There are no deed restrictions. Terry motioned to approve the subdivision, seconded by Don and all approved.

## 8:03 PM – Brown subdivision

The Board met with Spencer Brown regarding his request for subdivision approval for one lot (300' x 310') on Rapids Road. Mr. Brown provided a new survey. A 1,300 sq. ft ranch-style home will be built. There are no easements or deed restrictions, but there is a concern for drainage. A prior lot was divided in 1999. Mr. Brown requested a copy of the zoning ordinance outlining the time element for splitting property. Andy motioned to approve the subdivision, seconded by Terry and all approved.

## 8:20 PM – Buffalo Well Drilling site plan

The Board met with Jim Baron, (Buffalo Well Drilling), Tom Herman (neighbor to the east), Jack Schmidt (neighbor to the west), and Bono & Queeno (neighbors to the south). Drainage will run off into the groundwater system (through Adesa, to the trailer park). Bill Schutt must review and sign off. A two-story building will be constructed (red split face block; maybe some ceramic tile on the south and east sides). First floor will be soil labs and testing; second floor will be meeting and training rooms. The ordinance requires a parking plan. Parking areas will be stone for 10 – 15 spaces. They plan to blacktop within five years. The Board recommends putting some big evergreens along the south end of the building, and would like a landscaping plan. Mr. Schmidt was unhappy with the fence he was promised in March, which is actually a metal barrier; he thought it would be wood stockade type. He is also unhappy with the exhaust and noise from the trucks. Mr. Baron stated that the trucks are temporary until building begins for the lab facility; there will be no trucks then. Mr. Baron offered to put up a stockade fence to block the rear view, but he would have to "rip the brush down". Mr. Bono wants to see a berm and some shrubs; he does not want to look at trucks saying "water". Mr. Bono wants "guarantees, not intentions". Mr. Baron stated that he is making a substantial investment; and Mr. Queeno stated that he has made a substantial investment in his house. Mr. Schmidt asked if they use any chemicals. Mr. Baron stated, "No, not where we TEST soils and concrete". Mr. Baron stated that they "hardly ever get contaminated samples" and when they do, they dispose of them by sending them back to point of

8:20 PM – Buffalo Well Drilling site plan (con't):

origin. When asked if he will have a sign, Mr. Baron stated that he might have one. When asked about exterior lighting, Mr. Baron stated he would have a few lights over the doors, no light poles. It was suggested he install lighting for security. Mr. Baron agreed that he has had problems with security, but did not clarify the problems. The utility lines will be buried, but power lines will be overhead (will be put on site plan). There are no easements or deed restrictions that Mr. Baron knows of. The County had no comments, but we still need Wendel's comments. Don Folger asked the Planning Board to be very specific on the details of their requirements. The Board decided to take a field trip to the site on Monday, September 23<sup>rd</sup> at 6:45 PM.

9:20PM – C&E Furniture site plan

The Board met with Jeff Mages and Donald Carpenter of DDS Engineers on the final site plan. The septic system (shallow trench system, not sand filter) will now be near the road. It perked in the rear and the front of property. There were no comments from Erie County, but Mr. Carpenter ran it by Tom Casey of Erie County. They have not submitted to Water Authority yet; do not want back flow preventer in the building. Will check with them soon. The drainage plan was reviewed. Five parking spaces are required, but there will be seven in the front (one being handicapped) and six in the back. Don H. suggested making the sidewalk two feet wider to accommodate vehicle bumpers and snow shoveling. The landscaping plan has (road) salt-resistant species (including two honeyloaf trees). A sign must be three feet off the ground. He will have three light poles. Mr. Mages will blacktop from the road to the end of the warehouse in the spring. The Board stipulated that it must be done within two years. Mr. Carpenter stated that they changed the floor plan for the office portion by two feet because the hip roof didn't mesh well. The warehouse will be metal siding (dark green with beige). They will have construction prints in a few weeks. The windows will require more insulation due to the new building code; they may put in some skylights. Terry motioned to approve the final site plan and make a resolution to submit to the Town Board subject to Erie County Planning and Wendel's approval, seconded by Tom and all approved.

Tom motioned to adjourn the meeting at 9:55PM, seconded by Andy and all approved.

Respectfully submitted by,  
Christine Falkowski, Recording Secretary